Light on the OSJ

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History, canon law and the Order of St. John

"To call into the active life the religion of love, which will in time replace all existing religions… To spread… great fundamental truths which are the same for all faiths and all nations… To bring about a conscious union of human souls with the soul of the universe…"

— From the "Spiritual Message" of Grand Duke Alexander

Grand Master of the OSJ December 9, 1928

"The Sovereign Order of Saint John of Jerusalem encompasses within its membership both Eastern and Western Rite Catholics and Protestants whose sincere Christian faith and good works are signs of unity within Christ's Mystical Body."

— *OSJ Messenger*, Vol. 36, no. 1, 1981.

SINCE THE SECOND Vatican Council a number of traditional Catholics have become involved with the "Sovereign Order of Saint John of Jerusalem," (commonly called the "OSJ"), an organization headquartered for some time in Pennsylvania, later in Tennessee. The OSJ has put forth a number of rather astounding claims as to what it is and what its "rights" are, and has founded a number of Mass centers throughout the United States. Hence, many traditional Catholics would like to know more about it and whether or not they ought to assist at Masses offered by its priests.

In brief, the OSJ claims to be both a sovereign state and a Catholic religious order possessing some rather extraordinary privileges. Its apologists claim that it is the only true descendant of the Roman Catholic religious order commonly called the Knights of Malta, and they base their claims primarily on the decrees of Czar Paul I of Russia (1796-1801), a Russian Orthodox schismatic who attempted to claim the office of Grand Master (Superior General) of the Order. They maintain that the Czar had created "hereditary" members of the Order, and that a descendant of one such "hereditary" member of the Order "transferred" the Order to the United States. They further claim that the religious Order known as the Sovereign Military Order of Saint John

of Jerusalem (which is recognized by the Catholic Church, is headquartered in Rome, and to which, for the purposes of our discussion, I will refer as the "SMOSJ") is not the "true" Order.

My purpose in writing this article is to assess some of the claims of the OSJ and arrive at some sort of a practical conclusion for traditional Catholics. The subject is necessarily complex, as the claims of the OSJ are quite complex. For the sake of clarity, I have divided the discussion in the following manner: (1) Origins and organization of the religious Order of the Church known as the SMOSJ; (2) The SMOSJ in Russia during the time of the crisis with Czar Paul I; (3) The continuation of the SMOSJ outside Russia from the crisis to the present; (4) "Hereditary commanders" and the suppression of the Order in Russia; (5) Some interesting historical notes on the OSJ in the United States; (6) Some objections to the OSJ on canonical grounds; and (7) The OSJ and ecumenism.

I am sure the traditional Catholics involved with the OSJ will take a dim view of this effort. Be that as it may, I encourage them to take the time to give this article a careful reading, with particular attention to the primary sources I cite in section four, rather than simply take on faith what their apologists have been saying for years.

I. The Sovereign Military Order:

A LONG AND GLORIOUS HISTORY

THE SOVEREIGN MILITARY Order of Saint John of Jerusalem, whose present headquarters is in Rome, enjoys a long and glorious history in the service of the Catholic Church. It was originally founded early in the twelfth century in Jerusalem to care for pilgrims to the Holy Land, and eventually took on the care of the sick and the poor. It ran hospitals, hence, it came to be known as the "Hospitallers of Saint John of Jerusalem." However, the times were dangerous, and the Order soon acquired a military character when it undertook the protection of pilgrims to the Holy Land. Around the beginning of the thirteenth century, the rule of the Order spoke of military service. Members of the Order bound themselves to the vows of poverty, chastity and obedience like all other religious: some served as knights, some as infirmarians and priests served as chaplains.

The Order enjoyed papal approval and protection, and held high privileges from both the Church and the state. It was recognized as a regular order; it was exempt from taxes and tithes; it had its own chapels, cemeteries and clergy; it was independent of secular authorities; and it was directly subject only to the pope. Eventually it acquired enormous temporal wealth, both in the Holy Land and in Europe, as a result of the generosity of great lords.

After the fall of the Holy Land, the Order made its headquarters on the island of Rhodes. Members of the Order became adept at naval warfare and the Order was looked upon as a temporal entity as well as a spiritual one. The organization of the Order took on a more fixed form and became truly international. The head of the Order was called the Grand Master. He was assisted by a Supreme Council and by officials called Bailiffs.

There were eight different national groups (called "tongues"), which were themselves divided into priories. The smallest unit of the government of the Order was a commandery, and it was responsible to its priory. As with other religious orders, there was an honorary title which it bestowed on benefactors of the Order, that of "Protector," usually reserved for a high-ranking ecclesiastical or secular dignitary. Although the titles of the different officials of the Order are somewhat exotic, nevertheless, its structure and form of government is virtually identical to that of other Catholic religious orders.

In 1522, the attempts of the Turks to expell the Order from Rhodes were finally successful, and, in 1530, the Order was given the island of Malta by Charles V, at which time it came to be known as the Knights of Malta.

The Order continued its campaigns against the Turks and later against the Barbary pirates. Its headquarters remained in Malta, and its work was supported by the numerous income-producing properties it held in various European nations.

At this point, observers note that the Order seemed to go into a decline. It followed the standard military procedure of the times when it would rescue Christian galley slaves from pirates, and sell the captured pirates into slavery themselves, but the cruelty involved in this seemed to have had a bad influence on some of its members and on their attitude toward their religious vows.([2]) Priories and commanderies on the continent of Europe retained only very loose ties with their Grand Master in Malta, hence there were problems with obedience and discipline. So too, since Knights were recruited soley from among members of the nobility, the strict observance of the vow of poverty often fell into practical disuse.

Toward the end of the 1700's the fortunes of the Order of Malta had fallen to its lowest state with the destruction of the balance of power in Europe. The Knights had lost the primary purpose for their existence, which was military. The loss of lands throughout Europe after the Protestant revolt had made them dependent on France, and after the Revolution they faced a severe financial crisis.([3]) This forms the background against which one of the most curious episodes in its history is set: the attempt to make a schismatic, Czar Paul I of Russia, the head of a religious order of the Roman Catholic Church — and it

is this period we must examine in some detail if we hope to arrive at an accurate assessment of some of the claims made by the Pennsylvania OSJ.

II. The Revolt in Russia and

THE SCHISMATIC SOVEREIGN

IN 1788 AND 1789 GUILIO Litta, a Bailiff of the Order, went to the court of Catherine the Great in Russia to negotiate favorable conditions for the Order's moribund Polish Priory in an area conquered by Russia. At the same time, his brother, Mgr. Lorenzo Litta, Papal Nuncio for Poland, arrived in the Empire to negotitate for Polish Catholics in the new territories. Neither of the brothers had any real success.([4]) However, the situation changed on November 5, 1796 when Catherine died and Paul I became Czar.

Czar Paul was very favorably disposed toward the claims of the Knights of the Order. Giulio Litta wrote an enthusiastic letter to his superiors in Malta, but Paul secretly planned to absorb the Polish Priory into his influence.([5]) Litta at this point was worried about his personal fortunes, since his lands in Italy had been seized, and he saw the Czar's plans as a way to insure his future.([6])

Litta completed an agreement with Russia on Jan 4, 1797 and the Polish Priory was transferred to the Imperial Capital at St. Petersburg. Czar Paul was most generous: he paid the Priory's past dues to Malta and established a generous endowment for it.([7]) At this point, only the Czar's Roman Catholic subjects were eligible to serve in the new Russian Priory. Paul promised to protect religious freedom of the Catholic knights and to observe its traditions, customs and regulations.([8])

Count Ferdinand von Hompesch, Bailiff of the German Priory was elected Grand Master of Order on July 16, 1797 after the death of the previous Grand Master, de Rohan. On August 7, the Grand Council of the Order at Malta accepted the terms of the Czar's agreement with Bailiff Litta and showed its gratitude by electing him "Protector" of the Order, an honorary title which was enjoyed at that same time by the Emperor of Austria.([9])

On December 10, 1797 Czar Paul I was formally invested in Saint Petersburg as a Protector of the Order of Malta, and Count von Hompesch and the Supreme Council sent him a number of lavish gifts to show their appreciation.([10])

It seems that Paul had an obsession with ceremony and court ritual, hence being Protector of the Order of Malta gave him another excuse for pageantry.

He built a splendid priory and chapel in Saint Petersburg, and provided a generous chaplain's salary for Mgr. Lorenzo Litta.([11])

On June 12, 1798, von Hompesch surrendered Malta to Napoleon Bonaparte, and he fled to Trieste, arriving July 25. There he set up a temporary headquarters with permission of the Austrian Emperor.([12])

On September 6, the Russian Priory passed a resolution in which they stated that Grand Master von Hompesch is "accused and convicted of improvidence, cowardice and treachery." They claimed that they were absolved from obedience to him, that he was disqualified from his office of Grand Master, and they concluded by promising to give their allegiance to the Czar, their Protector.([13])

Unaware of what had taken place, von Hompesch wrote to the Priory of Russia and Bailiff Litta, telling them to "fulfill with perfect exactitude and union the duties enjoined by the Order's statutes… if possible with more zeal than ever." — but the Knights of the St. Petersburg Priory ignored his letters.([14])

The reaction from Priories in other countries was mixed at this point toward von Hompesch, and none apparently supported such a strong course of action.([15])

Professor McGrew reflects on the source of the protests, and points out that the Russian Priory was not even Russian at this time. Orthodox nobles, he says, were not eligible, and Czar Paul had no official status in the Priory — only an honorary one. The Knights of the Russian Priory still had to take vows of poverty, chastity and obedience as Roman Catholic religious.([16])

It seems that the Bailiff Giulio Litta was responsible for this attempt to depose Grand Master von Hompesch. Professor McGrew says that the accusations of the Russian Priory rested on forged letters which originated with him, ([17]) and Father Vella says they were "written with malicious intent as a means to discredit (von Hompesch) and put the Czar of Russia in his place."([18])

Litta's motives, it seems, were somewhat mixed. He wanted to remain in Russia, and he had already requested dispensation from his religious vows as a Knight of the Order so he could marry. Since he was in the favor of the Czar, he wanted to see the Order controlled by him.([19]) However, he seems to have had other motives as well, somewhat more noble in that they involved using the Order to restore the pre-Revolutionary political order.

Another consideration is the financial generosity of the Czar toward his brother, the Nuncio.([20])

When Pope Pius VI heard of the action of the Russian Priory, he said that there might be a case against Grand Master von Hompesch, and suspended him from his office. However, he did not depose him, and awaited the results of further investigations. The Pope wrote the Bailiff Litta on October 17, 1798 telling him:

as the Russian Priory so far is alone in this action, it is insufficient to declare [von Hompesch] fallen from his magisterial dignity; therefore it will be necessary to wait for the decision of the other Langues [national groups] to verify whether Hompesch is guilty of the crime which is laid to his charge by the said Priory.([21])

The two Spanish groups, Castile and Leon, renewed their allegiance to von Hompesch.([22])

After his letter to Litta, Pius VI wrote to the Czar on November 5, 1798, approving the establishment of the Order in the Russian Empire.([23])

However, before the Pope's letter even arrived, the Knights of the Russian Priory and some other national representatives elected Paul I Grand Master on November 7, 1798.([24]) Father Vella tells us that the Russian Priory ignored all electoral Statutes, and adds that the Russian Knights might as well have tried to elect Czar Paul I pope.([25])

Paul's first act as "Grand Master" was to create another Priory open to all nobles regardless of their religious faith.([26]) (It will be useful to recall this later when we discuss the ecumenical nature of OS J).

Giulio Litta seems to have twisted the meaning of the Pope's letter when it finally arrived. Contemporary sources in the Russian court had the false impression that the Pope had approved of the attempted deposition of von Hompesch, approved the election of the Czar as Grand Master and asked only that the Russians try to get the approval of the other nations.([27])

It wasn't until December 12 that the Papal Nuncio, Mgr. Lorenzo Litta, wrote a letter to the Pope informing him of the attempted election of the Czar as "Grand Master." Even then, it seems that his information was couched in very cloudy terms.([28])

The Papal Secretary of State, Mgr. Odaleschi, sent a dispatch to Russia on March 16, 1799 with a *Pro-Memoria* reviewing the entire question of the conduct of the Russian Priory. Father Vella notes that the document:

deplored that von Hompesch had been deposed in an irregular and unconstitutional manner opposed to the Constitutions of the Order and to the Apostolic Constitutions, and also, what was even more irregular, the proclamation of a sovereign not professing the Catholic Religion as head of a religious order ([29])

and the *Pro-Memoria* itself states that:

His Holiness cannot forget the rights proper to the Apostolic See regarding a regular Order for which it is responsible in the sight of the whole world.., for any sort of act which injures the rights of the Holy See or which is contrary to the customs of the Order itself.([30])

Three different sources indicate that diplomatic efforts failed to convince the Pope that the election was valid.([31]) In this connection, Professor McGrew says that:

Pius VI was unwilling to approve the election of a married schismatic who had never taken orders [made vows?] to be the head of the Knights of Malta.([32])

There are a number of explanations for the Czar's involvement in all this. One is that he looked upon the Order as a way of increasing the prestige of his court and as an element of control over his nobility. Or again,

one remaining alternative is to claim that Paul was simply afflicted with delusions of grandeur, and it was to satisfy such a delusion that he accepted the Grand Mastership.([33])

Father Vella observes that the activities of Giulio Litta and his supporters,

by means of conspiracies, intrigues and forgeries made this affair one of the most cynical episodes of eighteenth century Maltese history.([34])

Finally, it is interesting to note in passing that historians have long speculated about the mental condition of the Czar. One diplomat in the court wrote:

The fact is, the Czar is not in his senses. This truth has been for many years known to those closest to him, and I have had frequent opportunities of observing it. But since he came to the throne, his disorder has increased.([35])

and Roderick Cavaliero speaks of Paul's

frequent rages, psychopathic sensitiveness to the merest report or rumor, blind fanaticism over the shape of a hat, the cut of a uniform, willful prejudices, a

brain turning under the solvent of undiluted power… The lunacy, it was thought, had begun with his coronation as Grand Master.([36])

III. Order is Restored and

THE ORDER CONTINUES

AFTER THE CZAR'S DEATH in 1801, it was the Pope who named the Grand Master or the Bailiff (Lieutenant) who takes his place.([37]) Pius VII allowed the controversy to die down for a while, but in September, 1802 offered the post of Grand Master to the Bailiff di Ruspoli, who turned down the Pope's offer.([38]) The Pope finally settled on the Bailiff Giovanni Tommasi, and he was elected to the office of Grand Master on February 9, 1803. Tommasi held a General Assembly of all available Knights in the Priory at Messina where he received their homage, and we learn that even Czar Alexander, Paul's successor, approved of his election. (see below) ([39]) Grand Master Tommasi died in 1805, after which the post remained vacant. A series of Bailiffs managed the affairs of the Order in place of the Grand Master. The headquarters of the Order moved from Messina to Catania to Ferrara, until finally it was re-established in Rome in 1834.([40])

On March 29, 1879 Pope Leo XIII issued the Apostolic Letter *Solemne Semper* in which he restored the Grand Mastership and conferred the title on Giovanni Cheschi di Santa Croce. Leo mentioned Czars Paul I and Alexander I, but only as protectors of the Order, a title which is purely honorary. In the conclusion of the letter, he says that "as for the rest which might militate against this letter, We hereby abrogate specifically and formally, along with all that is contrary to it."([41])

From that time forward, the Order regained more of its original character as an organization devoted to the care of the sick and the poor.([42]) Indeed, the account of the charitable activities of the Order from the loss of Malta until the Second World War alone fills eighty pages in one particular history.([43])

As of 1910, the conditions for entry into the Order were quite stringent. In addition to having the Catholic Faith, high social position, legal age and integrity of character, one had to have nobility of 16 quarterings.([44])

Under Pius XII, the legal status of the Order was established with greater precision. He appointed a commission of Cardinals on December 10, 1951, and on January 24, 1953, the tribunal issued a judgment which maybe summarized as follows: ([45])

(1) The Order is sovereign, and this fact has been recognized by the Holy See, numerous other states and by international law.

(2) It is a religious order subject to Canons 487 and 488, (1 and 2) of the Code of Canon Law and is approved as such by the Holy See. Its purposes are: the sanctification of its members and other religious and charitable works.

(3) the Order is dependent on the Holy See, and, in particular, as a religious Order, on the Congregation of Religious, according to the norm of Canon Law. Persons who receive marks of distinction from the Order are dependent on it, and, through the Order, on the Holy See as well.

As proof of the Holy See's authority to make such decisions, the Cardinals cited the Apostolic Letter *Inter Illustria* of Pope Benedict XIV (March 12, 1753), the "Code" issued under Grand Master Rohan (von Hompesch's predecessor who died on July 13, 1797) and the Order's constitutions.

It might be helpful to mention the categories into which membership in the Order was divided after this decision. First, there are Knights of Justice, who take the three religious vows and form the strictly religious nucleus of the Order; second, there are Knights of Honor and Devotion who are required to furnish proof of ancient nobility; third, there are Knights of Magistral Grace who are affiliated with the Order.([46]) Additionally, there are three other groups: Chaplains, Dames of Honor and Devotion and Donates or Benefactors. As well, the Grand Master may bestow the Cross of Merit of the Order on non-members, including non-Catholics.([47])

Finally, the Order was given a new Constitutional Charter under John XXIII by a Brief on June 24, 1961.([48]) A discussion of the Order of Malta after the Second Vatican Council is beyond our scope here, but it no doubt suffered the same fate as other Orders. Furthermore, it is hard to imagine how a medieval knightly order which places considerable emphasis on nobility of lineage fits into the post-Conciliar milieu of liberation theology, quasi-Marxist social principles and disdain for tradition.

IV. Suppression in Russia and

"HEREDITARY COMMANDERS"

SINCE THE OSJ in the United States (which occasioned this article) claims to possess some sort of historical continuity with the Order in Russia, it will be helpful to retrace our steps a bit here and examine some of the information available regarding the Order in Russia during and after the reign of Czar Paul.

The OSJ contends that Czar Paul appointed "hereditary commanders," whose descendants (they imply) had the right to create other Knights, and thus continue the Order.

However, the expressions "hereditary commandery" or "hereditary commander" did not exist as legal terms in the Czar's Acts of Foundation for the Grand Priories of Russia.([49]) (If the OSJ wishes to dispute this assertion by our sources here, it would seem that they ought to consult the original Russian texts of the documents, aided by someone who is conversant with the fine points of Czarist jurisprudence). Many other groups calling themselves Knights of Malta have claimed that the Czar established "hereditary commanderies," making it the stock-in-trade of what de Sherbowitz-Wetzor and Toumanoff, in their superbly documented work, refer to as the "Russian Legend."([50])

It cannot be denied that Czar Paul created "rights of patronage" (*jus patronatus*) by which certain noble families obtained the right to nominate officers of commanderies. However, it is important to note that his decree states that

… no one having the right to succeed to a 'jus patronatus' Commandery shall be admitted to this Commandery without possessing the following qualifications…

among which were proof of appointment in accord with the Decree of Foundation, presumed proof of family nobility for 150 years, five years membership in the Order, payment of an admission fee and two years service in the Russian Imperial Army as an officer.([51]) Thus it is fair to ask: Did the gentleman from Norfolk who, it is said, founded the American Grand Priory of the OSJ, obtain a commission in the Russian Imperial Army after his service as a Confederate Colonel and so meet the requirements laid down by Czar Paul?

In another place we read that the dignity of Grand Prior and Commander could

in no circumstances be conferred otherwise than upon subjects of his Empire capable of admittance to the Order of Malta.([52])

In this regard, it is difficult to see how members of the OSJ living in Pennsylvania could consider themselves subjects of the Russian Empire. In any case, it is clear that the requirements for exercising a "right of patronage" were extremely stringent, and were not simply passed from father to son.

Early in 1801, the Czar filled a number of offices in his Order with members of the nobility, including General Ivan Lamb who was styled "Grand Conservator."([53]) The OS J, as we will see, views General Lamb as part of its link with the Russian Knights.

Paul was murdered on March 23, 1801 in a plot which, incidentally, involved four of his own Knights. On March 27 Czar Alexander I took the Order under his protection, but had no intention of becoming Grand Master.([54]) On March 28 he issued a document which designated his Imperial Residence as the headquarters of the Order,

until [he said] the time that the circumstances permit giving it a Grand Master according to its statutes and ancient form.([55])

With the same document, Alexander appointed Count Nicholas Soltikov as the Order's Lieutenant or Bailiff. Soltikov sent the Pope a resolution passed by the Russian Council (August 1, 1801) proposing that all the European Priories:

send a list of candidates to the most Holy Father… that the Supreme Pontiff, who, as head of the Roman Church and superior of all religious orders, would choose one person from the number of candidates pro-posed by the Priories upon whom the Grand Mastership would be conferred.([56])

This decree also spoke of restoring the Order's ancient Constitution and discipline, ([57]) and acknowledged indirectly that Paul's Grand Mastership was illegitimate.([58])

The Imperial Court of St. Petersburg later addressed a letter to foreign representatives which reconfirmed the fact, noting that since the Order of Malta

no longer has a legitimate head, one of the first concerns of its members should be to act together according to the established Statutes, forms and usages to proceed legally to the election of Grand Master.([59])

By resolution on November 17, 1802 the Grand Priory and Council said:

This council decides to resign its functions, and to place the government of the Order back into the hands of the Grand Master. The Sacred Council approves the act drawn up to that effect.([60])

It reaffirmed this act on April 25, 1803 and abdicated in favor of Tommasi, the Grand Master chosen by the Pope, with the words:

The Council, as has been intended from the beginning, abdicates, and the discharge of its duties having been terminated, hands over the authority thus received to the Grand Master.([61])

Additionally, Czar Alexander himself sent two letters of congratulation to Tommasi, a fact which clearly shows he recognized the election.([62])

On March 10, 1810 the properites of the two Russian Priories were confiscated and on February 1, 1817, a resolution of the Russian Committee of Ministers, approved by the Czar, pointed out in passing that the Russian Grand Priory no longer existed in the Russian Empire.([63]) All other sources consulted are in agreement on the fact of the suppression.([64])

The suppression of the non-Catholic Grand Priory was entirely within Alexander's competence, since it had been founded by Paul in his capacity as Czar of Russia.([65]) The text of Paul's Decree of Foundation (December 10, 1798) confirms this:

By these presents, *we institute by our imperial authority* a new foundation of the Order of Saint John of Jerusalem. [emphasis supplied] ([66])

What one emperor can grant to his subjects, another can take away, for such is the nature of autocracy.

On the other hand, the suppression of the Catholic Grand Priory by the Czar was, of course, entirely illegal from the point of view of Canon Law. But the fact that it resigned its functions in favor of the pope's choice for Grand Master cannot be denied — hence, whatever rights and privileges it may have claimed under international or ecclesiastical law, rightly or wrongly, passed to the Grand Master in Italy.

After the suppression of the Order in Russia, the relationship between the Czars and the Order's headquarters in Rome nevertheless remained cordial. With the exception of Alexander II, all received the honorary decoration of Bailiff Grand Cross, including the last Czar, Nicholas II. The extremely thorough study of the question by de Sherbowitz-Wetzor and Toumanoff call this the "last item in the chain of evidence" in contrast to those who promote the "Russian Legend" about supposed "hereditary commanderies.([67]) Further, the authors note that the theory of the survival of a "Russian Priory" after the suppression has been effectively refuted not only by the plethora of documents they have presented, but also by an official publication on the Russian Orders published in Saint Petersburg in 1891.([68]) Recent literature put out by the OSJ says it

… became and remained an independent sovereign Order under the quiet sponsorship and protection of the Czars…([69])

However, it would be most interesting to see the primary sources which back up this claim — that is, letters, documents, etc. written by its members during the period in which it was alleged to have existed — and not just an occasional reference to comments by outside observers. The full burden of proof, then, rests with the OSJ. Let its apologists produce a host of unassailable primary sources to answer the skeptics and justify its claims, lest we conclude that the history of their organization in Russia after Czar Alexander was "quiet" to the point of non-existence.

V. Historical Notes on

THE OSJ IN AMERICA

A BRIEF PRESENTATION of some historical notes on the history of the OSJ in the United States will undoubtedly be of great interest to our readers.

In 1890, the OSJ claims that the American Grand Priory was founded in New York City at the Waldorf-Astoria Hotel and William Lamb, a former colonel in the Confederate Army and Mayor of Norfolk, Virginia was elected Grand Prior. Col. Lamb is supposed to have been a direct descendant of General Ivan Lamb, appointed "*conservateur*," of the Order by Czar Paul I.([70]) (The office of "*conservateur*," by the way, does not mean that one is a "preserver" of the Order, but rather that one has certain judicial and legal duties in the Order.) ([71])

However, Harrison Smith, whose book is favorable to some claims of the OSJ says only that General Lamb:

was believed to have had a son, and typical of the mystery that surrounds everything Russian, one version is that the name [?] was transferred to Vaskoff.([72])

It seems that this would introduce a slight note of uncertainty into claims which rely on supposed "hereditary rights," but Smith goes on to say:

Whatever one may say about the technicalities of the transmission of power, the spirit of the Russian order was decidedly published [sic] that it has been revived in America.([73])

While genealogical research is beyond the scope of our effort here, it would be interesting to investigate the Lamb family tree through the Virginia

Historical Society to determine whether or not Col. William Lamb of Norfolk was, in fact, a descendant of the Russian General.

I was unable to find any references to this meeting in the *New York Times Index* for 1890, which seems somewhat curious, considering Col. Lamb's prominence. It is equally puzzling that the *Who Was Who: 1897-1942* makes no reference in his biographical sketch to his association with the "American Grand Priory" or of his supposed election as "Grand Prior."

There is an account in the January 6, 1890 *Times* (p. 1) of a fight between two groups claiming to be the Knights of Malta. It notes that the groups were originally Protestant organizations and that the Commander of one was from New York. The *Times* of September 11, 1879 (p. 8) printed an announcement for a meeting of "the Supreme Encampment of America of the Knights of Malta." Since Mr. Smith gives 1880 as the beginning of the movement in the U.S., further research would be needed to determine whether or not there were any links between Col. Lamb and these two orgainizations. Smith tells us that on January 10, 1908 Col. Lamb attended a General Chapter of the "Order" in New York to:

"appeal to the descendants of the hereditary members of the Order" for the purpose of establishing the American Grand Priory … to continue [sic] the legal continuity of the Order.([74])

and that membership was open to members of all "recognized Christian denominations." At this meeting it was decided that the seat of the Order would be transferred to the New World.([75]) Why this action was necessary is not entirely clear, since in other places the OSJ claims it enjoyed the continued favor of the Russian Imperial family.

On May 17, 1912, we are told that the OSJ adopted a new Constitution.([76]) On September 1, 1913, the Grand Duke of Russia, Alexander, (presumably a Russian Orthodox schismatic), was elected "71st Grand Master" of the OSJ.

Grand Duke Alexander had rather radical ideas about religion, to say the least. The *Times* (December 9, 1929) quotes his "spiritual message" as follows:

To call into active life the religion of love, which in time will replace all existing religions, but meantime will spiritualize them and withdraw them from their present condition of gross materialism. To elucidate the true explanation and scientific understanding of all the Christian virtues, and so render complete both science and religion. To spread… great fundamental truths, which are the same for all faiths and for all nations, and so to build up that universal brotherhood which Christ came into this world to establish. To

bring about a conscious union of human souls with the soul of the universe, God, who is the spirit supreme…

The teachings of the "71st Grand Master" of the OSJ, it seems, make Teilhard de Chardin sound like Thomas Aquinas.

As well, it seems that the Grand Duke Alexander himself did not feel that the Russian Priory had any existence after 1810 and that he recognized that the supreme authority of the Order resided with the Grand Master in Rome. In a letter to Baron Taube, dated at Paris on September 21, 1929, Alexander suggested that the Baron begin negotiations with a view to soliciting the authorization of the Grand Magistry of the Sovereign Order of Saint John of Jerusalem in Rome for restoring (*reconstitue*r) the Russian Branch of said Order.([77])

After this, our narrative becomes a bit murky, but it soon takes a colorful turn in the 1930's with the appearance of Mr. Charles Louis Thourot Pichel, whose name came to be closely associated with the OSJ. Mr. Pichel, who was baptized a Catholic in 1931 at the age of 41, had already achieved some notoriety due to his interest in heraldry, genealogy and European nobility. In 1929 a series of hearings were held in New York to determine whether he was guilty of a crime in the promotion of an organization called the American Heraldry Association and of a proposed book to be entitled "Who's Who in Heraldry."([78]) The hearings were terminated when Mr. Pichel promised that he would discontinue the promotion of the book.

On June 26, 1933, we are told, Mr. Pichel made solemn vows of poverty, chastity and obedience as a "Knight of the Sovereign Order of Saint John of Jerusalem" in the Church of the Immaculate Conception in Watervliet, New York, in the presence of the pastor, Father Joseph Paul Chodikiewicz?.([79]) It is not recorded whether or not Mr. Pichel made the one-year enclosed novitiate required by canon law for validity (Canon 555), but, in any case, it is clear that, having been a Catholic for only two years, it was impossible for him to fulfill the requirement of Canon 574 which states that all who are admitted to solemn vows must first be in temporary vows for three years. Failure to observe this requirement, incidentally, invalidates religious vows according to Canon 572. One hopes that Mr. Pichel managed to discover this canonical irregularity, since, according to the *1962-63 Who's Who in the East*, he married Mary K. Hart on August 11, 1941.

An equally intriguing canonical puzzle arises at this point when we learn that Mr. Pichel claims to have been "Grand Chancellor" of the OSJ from 1933 forward, for Canon 504 requires that a religious be in vows for at least ten years before he can become a major superior and, undoubtedly, the chancellor's office in a organization which claims to be both a religious order

and a sovereign state would fall into this category. But presumably this canonical requirement too was somehow forgotten.

The Constitution and By-Laws of the "Sovereign Order of Saint John of Jerusalem" (amended 1959-1962) ([80]) gave Mr. Pichel an almost complete control of the OSJ as Chief Executive Officer and Secretary-Treasurer. Indeed, one gets the impression that the other offices provided for are largely ceremonial.

The "Sovereign Order of Saint John of Jerusalem" received a gift of 34 acres of land in Shickshinny, Pennsylvania in 1945, according to the Historian of the Diocese of Scranton. It was at that time that the "Shickshinny Convent" was established as "World Headquarters" for the OSJ.

On November 24, 1936, we are told, Kiril I, a claimant to the Imperial Throne of Russia, presented Grand Chancellor Pichel with a gold medal and diploma "for defending and helping to perpetuate the noble history of Imperial Russia and the Imperial Families of Russia."([81]) Mr. Pichel cites this as one of the proofs for his assertion that the Shickshinny Convent enjoys the "Imperial Sanction" of the descendants of Czar Paul I. It is consoling to be assured that "documents supporting the above facts are in the possession of the Order and preserved for posterity in underground bomb-proof vaults,"([82]) for one never knows the lengths to which the Soviet Union will go to wreak revenge upon those who enjoy the "Imperial Protection" of the Czars.

On August 29, 1956 the "Sovereign Order of Saint John of Jerusalem" was incorporated in the State of Delaware. and on November 26 of the same year it was registered to do business in the State of Pennsylvania as a Delaware Non-Profit Corporation with its address as RD 2 Shickshinny, the residence of Mr. Pichel.

It seems that the claims made by the OSJ for the historical legitimacy of the organization are not recognized by certain members of the Russian nobility, however. On May 2, 1960, the Secretary General of the Union of Russian Nobility (in exile) and a group which claims to represent descendants of the Russian "Hereditary Commanders" wrote to the head of the Catholic Order in Rome from Paris saying that they

were not affiliated in any way with the organization in the United States which is cunningly disguised and which styles itself the "Sovereign Order of Saint John of Jerusalem, Knights of Malta, Schickshinny 2, Pa., USA" and which falsely pretends to have inherited the rights of the Grand Mastership of Czar Paul I of Russia…

[We] deplore the existence of this false organization in the United States of America and hope that this deception will soon be exposed.([83])

One source says that in 1961 the OSJ appointed an Otto Choibert (or Schobert) as its "Observer" to the United Nations.([84]) The Catholic Order in Rome asked the UN for an explanation, and received a reply from the Executive Office of the Secretary General which said in essence:

(1) Mr. Choibert had never received official recognition from the UN, nor had he received diplomatic status;

(2) On April 13, 1961, he was informed that he could not use stationery claiming to be a Permanent Observer, Envoy Extraordinary or Minister Plenipotentiary to the UN;

(3) On August 23, 1961, the name of his organization was deleted from the list of unofficial bodies which receive news bulletins from the UN, and he was asked not to attend meetings organized by the UN information service and surrender his entry card for the UN Building.([85])

In the 1960's, the great age of ecumenism, we begin to learn of how this supposedly Catholic religious Order admitted non-Catholics to its ranks. On January 1, 1962, according to a brochure put out by the Shickshinny Convent, the religious affiliations of the members was put at 42% Roman Catholic, 23% Episcopalian, 21% Orthodox, the rest Lutherans, Presbyterians, Methodists, Baptists and others. The literature cites this as the fruits of the work of an interdenominational "Ecclesiastical Committee" apparently existing before the time this poll was taken.([86])

In any event, we learn that the OSJ became rather closely involved with the "Old Roman Catholic Church," a conglomeration of various sects which has already been discussed at some length in the pages of this publication ([87]) The name of "Archbishop" George Gerard Shelley, Primate of the "Old Roman Catholic Church in North America" appears in OSJ publications in the 1960's. Shelley was "ordained" by Arnold Harris Mathew (an apostate priest who had been personally excommunicated by Pope Saint Pius X) and made a "bishop" by Richard Arthur Marchenna on March 25, 1950.([88]) Shelley obtained the rank of "Grand Prior for Europe" in the OS J.([89]) As well, he functioned as Chairman of the OSJ Ecclesiastical Committee at least as late as April of 1969.

It was perhaps under the guidance of Shelley that the OSJ produced a brochure entitled "An Account of the Old Roman Catholic Church" in 1964 in which we learn that

in a long program designed for the unity of all the Christian Churches, the Sovereign Order of Saint John of Jerusalem recognizes and accepts both the Old Roman Catholic Church and the papal Roman Catholic Church as one and the same Universal Church.([90])

As well, the brochure speaks of the "silent appeal" of the "Old Roman Catholic Church" and says it

may be due to the absence of all those objectionable practices and non-scriptural innovations of the papal Church so much frowned upon by discriminating Catholics and non-Catholics alike.([91])

In a brochure reprinted by the *New York Journal-American* in 1959, we learn that Shelley's ORCC opposes the Dogma of Papal Infallibility. Perhaps this was one of the "non-scriptural innovations" frowned upon by "discriminating Catholics" at Shickshinny.

On May 3, 1964 an organization called the "Athenian Order" issued a statement which supported the contention of the OSJ that it enjoys historical continuity with the Russian Priory.([92]) The Athenian Order was founded by an English Old Catholic "bishop," Charles Brearly, who claimed to have been honored "by many European and American Universities," to which historian Peter Anson adds, "though apparently not by any one of the twenty one degree-giving seats of learning in Great Britain."([93]) We note that, while Brearly's Athenian Order supported the claims of the OSJ, Brearly himself claimed that Holy Scripture supported his practice of "ordaining" women to the episcopacy, priesthood and diaconate."([94])

In any case, after the Second Vatican Council many Catholics were profoundly disturbed by the changes and looked for a means to resist. To some, the claims of the OSJ to "canonical exemption" as a "Catholic religious order" seemed like the ideal solution.

In the mid-1960's, the head of the Catholic Traditionalist Movement (CTM) in Westbury, New York, Father Gommar De Pauw, became involved with the OSJ. In a telegram to Mr. Pichel dated June 23, 1968, Father De Pauw (a Doctor of Canon Law and former seminary professor) said that:

I have today informed His Holiness Pope Paul VI that, in virtue of the perpetual privileges granted by his predecessors to the Sovereign Order, we have today offered the first public traditional Latin Mass in the Ave Maria Chapel of the Greater New York Priory located in the Catholic Traditionalist Center in Westbury… The red and white flag of our Order once again waves in American skies.

Father De Pauw signed himself as "Knight-Commander of Justice, Prior, Chaplain." OSJ literature published in 1968 noted that Father De Pauw was "Coordinator and Dean of the Roman Catholic Section" of the OSJ's "Ecclesiastical Tribunal" and that the Westbury Chapel was the "Roman Catholic Church of the Order for the Official Investiture of Knights in the Greater New York Priory." (The Coordinator of the "Old Roman Catholic Section of the Ecclesiastical Tribunal" was listed as "The Rev. Dr. Gerard G. Shelley.") Other OSJ literature published that same year notes that

From the very beginning, all the speeches and writings of the Rev. Dr. Gommar A. De Pauw established his eagerness and true feeling of the spirit of sane Ecumenism as opposed to insane ecumania in the following words: "The time is overdue when Traditionalist Roman Catholics and conservative Protestants join hands and forces to save whatever is left of Christianity."

Father De Pauw later left the OS J, and continued to celebrate the traditional Mass for the CTM.

In an attempt to draw traditionally-minded Catholics into their organization, the OSJ published a brochure containing a program of action, approved by its "Supreme Council for the Roman Catholic Section of Ecclesiastical Tribunal" on June 2, 1969.([95]) Among other things, they claim that since 1814 several popes have been blackmailed and controlled by the Jesuits and that the OSJ will "carry on the traditional authority of the Roman Catholic Church as a most sacred duty but only as a temporary Trust."([96])

In the 1960's, one who wished to apply for Knighthood in the OSJ was obliged to: (1) Be a practicing Christian and provide the name of his church and pastor; (2) Provide a biography if he wasn't listed in *Who's Who*; (3) Submit a passport photo for his I.D. card; (4) Study, sign and return a one-page Copy of his "Vows of a Knight"; (5) Submit any evidence of family nobility; and (6) Send in $25 each year. Additional voluntary contributions were welcomed "in order to support the government and program of the Order, including the acquisition of sovereign territory." The "Vows of a Knight" could be taken at the altar of the applicant's church, at the Convent of the Order, or in the presence of a Knight or chaplain who would act as witness.

I am sure most readers will agree that the above-mentioned requirements for Knighthood were hardly stringent, since no mention is made of service in the Czar's army or citizenship in the Russian Empire, nor of possessing the Catholic Faith and nobility of sixteen quarterings. The privileges of Knighthood, it seems, were well within the reach of the common man — Catholic, Protestant, Orthodox, or "Old Roman Catholic."

A number of OSJ "Priories" were founded throughout the United States at this time, some of which continue in operation today. Some traditional Catholics have been drawn to them since priests designated as "Chaplains" offer the traditional Latin Mass and confer the sacraments.

In the late 1960's and early 70's, a considerable controversy arose among traditional Catholics regarding the claims of the "Sovereign Order of Saint John of Jerusalem." Many documents and letters circulated, and it seems that a fair number of members left. Among the allegations made were that it was Masonic, ecumenical, canonically and historically illegitimate, quasi-schismatic, heretical, etc. However, it would be impossible for us here to discuss all the different charges and countercharges of that period. Interested readers are urged to conduct their own investigation.([97])

In 1976, Roberto Paterno Castello di Caracaci Ayerbe-Aragon was elected "73rd Grand Master" of the OSJ.([98]) but soon the history of the organization took yet another stormy turn.

In late 1976 or early '77 Mr. Pichel, then in his late eighties, was involved in an auto accident which caused a number of physical problems. He spent some time in nursing homes and hospitals, where, as he later said, he was considered a "terminal case." On February 28, 1977 he signed a letter (a copy of which is in court records) announcing his retirement as active Grand Chancellor to become Grand Chancellor Emeritus and a life member of the Supreme Council of the OSJ, and announced that Thorbjorn Wilkund and Frank Capell would be the two Grand Priors to take over all the duties, responsibilities and authority formerly vested in the Grand Chancellor.([99]) (Mr. Capell of New Jersey, now deceased, was a Contributing Editor for the Birch Society publication *Review of the News*.)

On March 1, 1977, Messrs. Pichel, Wilkund, Blazes, Atterbom, and CapeIl signed an "Agreement" which specified how the various duties would be carried out under the new arrangement, and guaranteed a $5000 annual pension for Mr. Pichel.([100])

Court documents indicate that Mr. Pichel attempted to repudiate the "Agreement." Later in 1977, in an October 26 letter to Mr. Capell, he claims that his signature was "obtained with misrepresentation, deceit and false charges. This was done with undue pressure upon a man who at that time was declared a 'helpless terminal case' with but a short time to live." He termed the meeting "illegal," and told Mr. Capell "I was illegally detained from my home by you and your assistants while the house was thoroughly 'cleaned' of all my possessions, both those of the Order and my personal effects, etc.([101])

On November 6, 1977 the registered address of the "Sovereign Order of Saint John of Jerusalem" was changed from the Shickshinny address to "Church Lane, RD 3, Reading Pennsylvania."

Again according to court documents, on November 29, 1977, Mr. Pichel signed an "Official Expulsion of Thorbjorn Wilkund, Per-Axel A. Atterbom and Prince Roberto Paterno de Aragon," alleging various reasons, including "associating themselves in a conspiracy to depose and discredit the Grand Chancellor of the Order."([102]) Another document in the record (dated September 15, 1979) was written in a similar vein.([103])

In 1979 Mr. Pichel produced a brochure which seemed to broaden the powers of the Ecclesiastical Tribunal already mentioned. It is referred to as the "Supreme Ecclesiastical Tribunal of Christendom," and we are informed that it is a "permanent ecumenical body" which can render final judgment on faith, morals, liturgy, etc. relating to any religious denomination-Catholic, Lutheran, Orthodox, "Old Roman Catholic" — which is a member.([104]) (The literature states that the identity of the "prelates" who make up this permanent ecumenical tribunal is kept secret as a "protective measure.") Apparently not even the powers of this Tribunal, however, were able to bring Mr. Cappell and his supporters back into line with Mr. Pichel's thinking.

Members who supported Mr. Pichel's position met in Shickshinny on January 26, 1980 and issued a statement to that effect.([105]) "Old Roman Catholic" Bishop Richard A. Marchenna, a fixture of the "Old Catholic" scene in the United States for many years, and Father Peter Rofrano, a priest of the Pallotine Order from New York City, were listed as being among Mr. Pichel's supporters.

It seems this was all a bit too much for Mr. Cappel and his supporters. They instituted legal proceedings against Mr. Pichel in U.S. District Court (Middle District of Pennsylvania, *Sovereign Order of St. John of Jerusalem et al. vs. Pichel*, Civil No. CV 80-0501.), and, on May 29, 1980 obtained a Preliminary Injuction against Mr. Pichel. Mr. Pichel, his agents, etc. were restrained until the Court settled the matter:

(a) From using and infringing on the Plaintiffs' collective membership mark "Sovereign Order of St. John of Jerusalem — Knights of Malta"…

(b) From representing himself as an authorized officer, representative and spokesman for the Plaintiffs';

(c) From circulating, mailing and otherwise distributing material and correspondence wherein the words Sovereign Order of St. John of Jerusalem are utilized;

(d) From soliciting or receiving funds or contributions;

(e) From conferring or issuing diplomas, certificates of membership or other indicia of membership in the Plaintiffs' organization.

On October 18, 1980 Mr. CapeIl died. Shortly thereafter a publication of the Reading Priory announced that Salvatore T. Messineo had been elected "Grand Prior of America and the rest of the world excepting Europe and the British Commonwealth."([106]) In later correspondence, Mr. Messineo uses the title of "Lieutenant Grand Master" and makes his headquarters in Reading. On March 25, 1981, Mr. Messineo and his supporters signed a "Joint Proclamation" with Mr. Aleksei Nicholaeivich Romanoff proclaiming him "Imperial Protector" of the OSJ.([107]) Mr. Romanoff claims to be the son of Czar Nicholas II, and OSJ literature assures us that "confidential records of the CIA would confirm this if made public."([108]) (The implication seemed to be that the CIA was not talking.)

Mr. Romanoff, in turn, proclaimed the supporters of Mr. Messineo to be "the only legitimate descendant of the Order of Malta and the Grand Priory of Russia." The document styles Mr. Romanoff

the Heir to the All-Russian Imperial Throne, Tsarevich and Grand Duke of All Russia, the August Ataman and Head of the Russian Imperial House of Romanoff,

and notes that Mr. Romanoff was

also known under a security cover-identity in exile and underground in Poland as "Michael M. Goliniewski," and under a fictitious cover name in the United States since 1961 as "F.R. Oldenburg."([109])

A brochure produced by Mr. Messineo's group states that Mr. Romanoff became "Imperial Protector" in 1952."([110]) However, we note that four pages after having asserted this, the same booklet claims that Mr. Romanoff was working in Gdansk, Poland during this same year as Chief of Polish counterintelligence and as sort of a deep penetration spy for the West.([111]) (Presumably the fact that he was "Imperial Protector" of the "Sovereign Order of Saint John of Jerusalem" was well hidden indeed from the Communists.)

On December 28, 1981, the Court reached a final decision in the matter of *Sovereign Order of Saint John of Jerusalem et al. vs. Pichel.* The defendant, Mr. Pichel, was "permanently enjoined and restrained from engaging in the conduct as delineated in that order of May 29, 1980." The plaintiff's demand for payment of fees was denied, and both sides were ordered to pay their own costs. Thus drew to a close yet another exciting

chapter in the history of the "Sovereign Order of St. John of Jerusalem — Knights of Malta, Russia and America."

VI. The OSJ and

CANON LAW

IT WILL BE USEFUL to mention some of the arguments which can be made against the claims of the OSJ as regards Canon Law.

First, the OSJ claims that it is "a religious lay Order of the Catholic Church and a theocratic state… It is Catholic because it was founded by Catholics and derives all its theological [sic] privileges from the Roman Pontiff."([112])

Religious orders enjoy no "theological privileges"(whatever that may mean) under canon law, only certain privileges of exemption. As well, it is difficult, if not impossible, to see how the OSJ could be considered a "religious lay Order of the Catholic Church," considering the massive non-recognition it has received from Church authorities.

If, as the OSJ claims, a branch of the Knights of Malta did indeed exist in Russia after the suppression, it certainly was not recognized as an "order of the Catholic Church" by the popes. Leo XIII mentioned nothing about it in *Solemne Semper*, nor did the commission of cardinals appointed by Pius XII to reexamine the status of the SMOSJ allude to any "Russian branch" in the United States.

Nor even has the "Sovereign Order of Saint John of Jerusalem" been recognized by the post-Conciliar Church in this great age of ecumenism. We reprint below an article from the Vatican newspaper, *L'Osservatore Romano:*

Enquiries have been received from various parties asking for further information regarding the "Sovereign Order of St. John of Jerusalem" and in particular how the Holy See looks on this Order.

We are authorized to repeat the clarifications previously published in our newspaper in this regard. The Holy See, in addition to its own Equestrian Orders, recognizes only two Orders of Knighthood: The Sovereign Military Order of Saint John of Jerusalem, called the Order of Malta and the Equestrian Order of the Holy Sepulchre in Jerusalem.

No other Order, whether it be newly instituted or derived from a medieval Order having the same name, enjoys such recognition, as the Holy See is not

in a position to guarantee its historical and juridical legitimacy. This is also the case with regard to the above-mentioned "Sovereign Order of Saint John of Jerusalem" which assumes, in an almost identical form and in such a way as to cause ambiguity, the name of the Sovereign Military Order of Saint John of Jerusalem, more commonly known as the Sovereign Military Order of Malta.([113])

Second, in an article entitled "The Order of St. John in International Law," Chevalier William von Peters, OSJ, claims that the Order in Jerusalem:

had also, by 1200, become an autonomous Order in the Church, answerable to no one except the Pope; and then only in matters of Faith and Morals.([114])

The implication in his statement is that the pope had no power to legislate in matters concerning the conduct of the affairs of the Order, or that it was somehow "exempt" from everything but infallible papal teaching. (This seems, as well, to be the underlying theme of OSJ literature which treats of the acts of Pius VI and Pius VII regarding the Order in Russia.) Their claim that they were "autonomous," in the sense in which they imply, is without foundation.

Even a random glance at papal documents which bestowed privileges upon the SMOSJ before the Russian crisis make it clear that the pope is the "Supreme Legislator" for the Order. Pope Anastasius IV, for instance, in *Christianae Fidei Religio*, confirms the privileges of the Order in Jerusalem, and enuntiates his right to invoke his authority with regard to the affairs of the Order. For example, after granting immunity to the Order regarding its possessions, he adds, however,

preserving the authority of the Apostolic See and the canonical justice of the diocesan bishop.([115])

Again, for example, the Apostolic Letter *Inter Illustria Religionis* makes it abundantly clear that Benedict XIV, as pope, is acting as the "Supreme Legislator" for the Order by ratifying the acts of the Supreme Council of the Order, granting faculties to erect commanderies, revoking the alienation of the possessions of the Order without the consent of the Grand Master and Council, prohibiting commendatory livings, granting faculties to appoint judges, and derogating contrary pronouncements.([116])

The conduct of the popes with regard to the Russian crisis was entirely consonant with previously stated policy. The letter of March 16, 1799, written at the command of Pope Pius VI to the Nuncio in St. Petersburg notes that:

I cannot hide from your Most Reverend Excellency that the mind of His Holiness is very troubled by the announcement of these events, seeing trodden underfoot in a moment so many Apostolic Constitutions which reserve to the Holy See exclusively the right to judge the person of the Grand Master, and the Constitutions of the Order which fix the precise and unchangeable rules for his election and which only the pope can derogate.([117])

The *Pro-Memoria* which accompanied the letter states that:

His Holiness finds himself in the precise obligation to recall to the memory of the members who compose [the Russian Grand Priory] that they have strayed from the Constitutions of the Order and from submission to the decrees of the Holy See to which they are bound by the duty of their institution, both by deposing the Grand Master Hompesch from his dignity and by proclaiming His Imperial Majesty to be Grand Master.([118])

Additionally, the document refers to the Pope as "Supreme Head of the Order [chef supreme de l'ordre, c'est-a-dire, à Sa Sainteté]."([119])

Further, as we have demonstrated in section four above, the Council of the Order in Russia explicitly acknowledged the pope as its superior in legislative matters, and abdicated any powers it claimed to possess in favor of the Grand Master whom the pope had chosen.

Canon law also lays down that the pope is the "Supreme Legislator" for religious orders. In a commentary on Canon 499, we read:

… papal ordinances and laws, as far as they touch religious, either in general, as members of the Catholic Church and as a body, or in particular as single bodies, orders or congregations, must be complied with by all without exception. And this obedience must be offered to any and every legally elected pope, no matter what his personal qualities may be.([120])

In light of the foregoing, the claim that the Order was "autonomous" and subject to the pope "only in matters of Faith and Morals" is utterly untenable.

Third, the claim that descendants of "hereditary commanders" can somehow create new members of a Catholic religious order is indefensible. Moralists define a religious order as

a religious association of men or women bound to the observance of definite rules approved by the Holy See in community life and to the perpetual and solemn vows of poverty, chastity and obedience.([121])

Further, they define a religious as:

one who freely undertakes, over and above the commandments common to all the faithful, the observation of the evangelical counsels through the vows of poverty, chastity and obedience.([122])

It is plain that, since a person becomes a religious only by making a free and explicit profession of vows according to the norms of canon law, no one can become a member of a religious order through "heredity" — for with "heredity" there is no choice involved, and the required consent of the will is lacking. Additionally, it should be self-evident that membership in a religious order cannot be passed on "from father to son" since one of the religious vows is chastity.

That being the case, even if "hereditary commanders" had existed, they certainly could not be considered to have been religious — thus, they would not have had the power to "create" other religious, because they would not have been qualified to receive vows as superiors. In Canon 572 we read that

For the validity of any religious profession, it is required that… That the legitimate superior admit [the person who is to be professed] according to the constitutions… That [the profession] be received by a legitimate superior or by another according to the constitutions.

Fourth, from a canonical standpoint, it is abundantly clear that the "election" of Czar Paul as "Grand Master" was invalid. The reasons may be summarized as follows:

(1) It was contrary to the instructions of the Pope [as shown above].

(2) The Czar was a schismatic, and hence could not be the head of a Catholic religious order.

(3) The Czar was not a full member of the Order, only an honorary member, and hence was prohibited under canon law from becoming its Grand Master.

(4) The Czar was a married man, and hence could not take religious vows of poverty, chastity and obedience which form the essence of religious knighthood.([123])

The invalidity of his election has certain effects in both canon law and civil law, since the Grand Master of the Order was both a religious superior and head of a sovereign state, i.e.: (a) any legislation Czar Paul promulgated in what he believed was his capacity as head of a Catholic religious order was null and void of any canonical effect; and (b) any legislation he promulgated in what he believed was his capacity as head of the Order of Malta as a

sovereign state was devoid of any effect as regards the civil law — in other words he was not a legitimate legislator because he was not head of the Order.

In light of all the foregoing, I can only conclude that the various claims put forth by apologists for the "legitimacy" of the OSJ cannot be taken seriously — and any resemblance between it and the Order recognized as legitimate by the Church is superficial and markedly strained.

VII. The OSJ as an

ECUMENICAL ORGANIZATION

EVEN AFTER A PRESENTATION of the historical and canonical evidence for rejecting the claims of the OS J, there remains one insurmountable objection to it — it is today, and always has been, openly ecumenical by its own admission.

Recently, I came across a letter written in February, 1981 by a priest of the OSJ who is associated with Mr. Messineo's Priory in Reading, Pennsylvania. He said he was sure that the OSJ was now removing the semblance of false ecumenism and religious indifferentism. It seems, however, that nothing could be further from the truth.

A brief glance at recent volumes of the *OSJ Messenger* from Reading demonstrate this:

The Order of Saint John of Jerusalem encompasses within its membership both Eastern and Western Rite Catholics and Protestants whose sincere Christian Faith and good works are outward signs of unity within Christ's Mystical Body.([124])

The Order, following papal advice of not having conversion by the sword, sought again by the highest Christian virtue, namely charity, to establish a non-catholic section (1800's).([125])

With great justification, the Order's practice of Christian charity seems to have been the wiser path. The wisdom of maintaining Christian unity has blossomed in the practical reunification of the Old Roman Catholic Church for which the Order had maintained a section.([126])

Prelates of the Order of Saint John are requested to meet during the Spring or Summer of 1981 in order to establish methods of cooperation for the benefit of the sick and the suffering and for the *Propagation of the Faith*. Validly consecrated Eastern and Western Rite prelates, as well as prelates of the

Protestant denominations should contact the American Grand Priory…[emphasis supplied] ([127])

[Photo caption]: The Right Reverend Rainer Laufers, O.S.J., Archbishop of the Old Holy Catholic Church of Canada is invested by the Lieutenant Prince Grand Master, H.E. Count Eric de Lewenhaupt, O.S.J. in the Church of Saint John the Baptist in Louisville, Kentucky.([128])

While the difficulties presented by the foregoing quotes will be readily apparent to some traditional Catholics, it will be helpful to present a few pertinent citations from the Church's teachings.

First, regarding the assertion that the "sincere Christian Faith and good works" of non-Catholics in the OSJ are outward signs of "unity" within the Church and regarding the implication that the OSJ somehow managed to maintain "the unity of the Church" admitting non-Catholics, we note that the Church already possesses the mark of unity — and that non-Catholics are not part of that unity because they do not have the Faith. Pius XI teaches in *Mortalium Animos*:

What has just been said presents Us with the opportunity to discuss and refute a certain false belief upon which the whole question under discussion seems to rest, and from which, too, proceeds the widespread efforts of certain non-Catholics looking toward a reunion of Christian churches. The proponents of this plan never tire of repeating the words of Christ: "That ye all may be one… There shall be one fold and one shepherd." (Matt, XXXVII. 20) However, they wish those words to be interpreted in the sense that they represent a desire and prayer of Christ which has not yet been realized. Thus, they contend that the unity of the Faith and of government of the Church, which are distinctive marks of the one true Church of Christ, have not always existed and do not, as a matter of fact exist today.([129])

As well, the Holy Office, in response to a series of questions from 198 Anglican clergymen during the last century laid down the following principle regarding the unity of the Church:

1. The unity of the Church is absolute and indivisible and the Church never lost her unity, not, for so much as a second in time, ever can. There is, therefore, both *de jure* and *de facto*, only one Church; one by a numerical and exclusive unity ([130])

Second, as regards the OSJ's appeal to "charity" to justify its practice of admitting non-Catholics, we recall the words of Pius XI regarding similar activities by the "Pan-Christians" — the ecumenists of his day:

But the question immediately arises: How is it possible for charity to be aligned against faith? For everyone knows that St. John, the Apostle of Love, he who in the Gospels seems to open to us the very secrets of the Most Sacred Heart of Jesus and who, at every opportunity, preached to his disciples the new commandment "Love ye one another," forbade his followers to have any relations whatsoever with those who did not profess, entire and without error, the teachings of Christ. "If any man cometh to you and bring not this doctrine, receive him not into the house nor say to him, God speed you." (II John X) Since, therefore, charity must be built upon a whole and secure faith, as upon its foundation, it is above all necessary that the disciples of Christ be united above all else in the bond of the unity of the faith… How is it possible to bring together in one and the same society all those who profess such different opinions? ([131])

Third, since the OSJ sponsors meetings of Catholics and non-Catholics for "the Propagation of the Faith", we would do well to recall the teaching of Pius X on "interconfessional associations" in *Singulari Quadam*:

Concerning those associations which directly or indirectly touch upon the cause of religion or morals, it would be to perform a work which could never be approved if one should seek to foster and to propagate mixed associations, that is, composed of Catholics and non-Catholics alike… In fact, to limit ourselves on this point, it is incontestable that associations of this kind endanger, or certainly can endanger, the integrity of the Faith of our faithful Catholics and the faithful observance of the laws of the Catholic Church.([132])

In light of the foregoing it seems astounding that traditional Catholics who have, presumably, rejected the false ecumenism promoted by the Second Vatican Council, should have anything to do with the OSJ.

VIII. Summary and

CONCLUSIONS

A BRIEF SUMMARY of what has been said above is in order, together with a practical conclusion. First, we have offered a brief overview of the history of the Sovereign Military Order of Saint John of Jerusalem.

Second, we have examined in some detail the attempt to install the schismatic Czar Paul as head of the Order, an act which was contrary to both the constitutions of the Order and the express wishes of the reigning pontiff.

Third, we have provided a brief account of the history of the Sovereign Military Order from the Russian crisis to the present day.

Fourth, we have examined two of the claims upon which the OSJ attempts to argue for their "historical legitimacy" — the supposed existence of "hereditary commanders" and the alleged existence of the Knights in Russia after the suppression by Czar Alexander.

In the former case, we have presented evidence which indicates that the term "hereditary commander" did not exist in Russian legal terminology, and have shown that the "rights of patronage" which did exist were limited to citizens of the Russian Empire who met certain strict conditions.

In the latter case, we have shown that the Knights in Russia resigned any rights they claimed to possess in favor of the Grand Master chosen by the pope, and that Czar Alexander suppressed the Order in the Russian Empire. Further, we have noted that there seems to be a lack of primary historical sources to back up the contention of the OSJ that the Knights enjoyed any existence in Russia after the suppression. As well, we have seen that the Czars continued to have cordial relations with the Order in Rome.

Fifth, we have presented some historical notes on the history of the OSJ in America. We have pointed out certain difficulties regarding the mysterious Col. Lamb. We have noted some of the bizarre religious teachings of the Grand Duke Alexander, the 71st "Grand Master" of the OS J, and presented evidence which shows that he himself believed that the authorization of Rome was needed for "reconstituting" the Russian branch of the Order.

Further, we have demonstrated that the OSJ has had close ties with the "Old Roman Catholic" sects, and that it was and continues to be an ecumenical organization by its own admission. We have also catalogued some of the controversies which arose over the OSJ among traditional Catholics after the Second Vatican Council.

Sixth, we have presented some arguments against the various canonical claims of the OSJ. We have seen that the OSJ in America has enjoyed massive non-recognition from Rome of its supposed canonical status, and have shown that its claim that the Knights of Malta enjoyed some sort of "autonomous" status as regards the legislative authority of the pope is untenable. We have demonstated that membership in a Catholic religious order cannot be passed on by "heredity" and that the election of Czar Paul as "Grand Master" was invalid.

Seventh, we have briefly discussed some recent passages from the "OSJ Messenger" concerning ecumenism and religious association with non-Catholics, and dealt with them by citing a few pertinent passages from Catholic teaching.

I AM NOW OBLIGED to answer the question which occasioned this essay: "Should traditional Catholics assist at Masses offered by priests of the OSJ or associate themselves with the organization?" As a traditional Catholic priest, my answer is an unqualified "No."

Why? It is ecumenical, and to join an ecumenical organization is, in the words of Pius XI, tantamount to abandoning the religion revealed by God. For a Catholic, I believe it would be akin to joining the World Council of Churches, if it were possible for an individual — a grave sin, an affront to the true Catholic Faith and at least proximate to heresy.

Furthermore, it seems that the facts are so clear that any Catholic, once having been exposed to them, can no longer claim invincible ignorance. To refuse to face the facts would constitute crass ignorance — an ignorance which moral theologians tell us is sinful. If you're a Roman Catholic and want to save your soul, stay out of the OSJ.

Notes and References

1. Apologists for the OSJ seem to have some difficulty in providing primary historical sources to back up some of their claims. Father James Wathen's *Is the Order of Saint John Masonic*? (Rockford IL: TAN Books 1973) is a good example. In Chapter 5 (in which he attempts to prove that the Catholic Priory of the Order in Russia continued in uninterrupted existence throughout the Nineteenth Century), the only references he offers to justify his position are to two French and two English accounts. Such sources were "on the outside looking in," so to speak, and could have misinterpreted what they claim to have seen. Father Wathen's case might have been convincing, had he been able to produce references to documents or letters written by members of the "Catholic Priory" which was alleged to have existed. On p. 46, he asserts that Austria and Greece successively offered various islands to "the Order in Russia." No references, however, are given. Additionally, on pp. 44-45, Father Wathen disparages what he calls the "ponderous pleading" of de Sherbowitz-Wetzor and Toumanoff's book (*vid. infra*). However, de Sherbowitz-Wetzor and Toumanoff back up their case with a multitude of references to primary sources and documents — something which Father Wathen does not do.

2. Charles Moeller, article, "Hospitallers of Saint John of Jerusalem," in *The Catholic Encyclopedia*, (New York: Robert Appleton Co.: 1912), vol. vii, pp. 479-480.

3. Roderick E. McGrew, "Paul I and the Knights of Malta," in *Paul I, A Reassessment of His Life and Reign*; Hugh Ragsdale, editor, (Pittsburgh: University Center for International Studies, 1979), p. 46. Professor McGrew's

study is exhaustively researched through contemporary historical documents of the period. It was originally read at the 1976 national meeting of the American Association for the Advancement of Slavic Studies.

4. *Ibid*., p. 47.

5. *Ibid*., p. 48.

6. *Ibid*.

7. *Ibid*., p. 49.

8. *Ibid*., p. 48.

9. *Ibid*., pp. 49-50.

10. Andrew P. Vella, O.P.; monograph, "Malta and the Czars 1697-1802," (Malta: Royal University Press, 1972), p. 26. Father Vella was formerly head of the History Department at the Royal University of Malta. His monograph contains 25 pages of documents in their original languages with English translations.

11. McGrew, p. 51.

12. Vella, p. 27.

13. McGrew, p. 51 and fn.

14. Cited in Vella, pp. 28-29.

15. Cf. McGrew, p. 52.

16. *Ibid.*

17. *Ibid.*, p. 54.

18. Vella, p. 28.

19. McGrew, p. 55.

20. *Ibid.* 21. Quoted in Vella, p. 31; cf. also McGrew, p. 56.

22. Vella, p. 32.

23. *Ibid*.

24. *Ibid*. and ff. The text quoted in fn.3 is of interest: '"The Locotenenti of the Cities and Boroughs and the Representatives of the Towns (of Malta) to the King's Civil Commissioner,' (see Royal Malta Library, Library 532 f. 10v.), thus commented on this election: 'A few despicable mendicants took refuge in Russia, where they were more safe from danger than in the camp before Valetta, and created for a piece of bread a schism in their Order, which was as much a violation of all their obligations'."

25. *Ibid*., p. 37 and fn.

26. McGrew, p. 61.

27. *Ibid*., p. 57.

28. Vella, p. 34.

29. Quoted *ibid*., p. 38. The phrase quoted by Father Vella actually reads "… opposta alle constituzioni dell'Ordine e alle constituzioni Apostoliche…".

30. Quoted in Michel de Pierredon, *Histoire Politique de l'Ordre Souverain de Saint Jean de Jerusalem, Ordre de Malte, de 1789 d 1955*, (Paris: 1963), 2nd edition, vol. ii, pp. 385-386. The text reads as follows: "…Sa Saintete ne peut pas oublier les droits qui appartiennent au Siege Apostolique sur un Ordre regulier, et qui la rendent responsable devant l'univers.., de tout acte quelconque lesant les droits du S. Siege ou contraire aux constitutions de l'Ordre lui-meme." The documents reproduced (in French, unfortunately) in de Pierredon's two-volume work render it invaluable for a study of the period in question.

31. Vella, p. 38; Moeller, p. 480 and McGrew, p. 59.

32. McGrew. p. 63.

33. *Ibid.*, p. 60.

34. Vella, p. 39.

35. Quoted in Roderick Cavaliero, *The Last of the Crusaders: The Knights of Saint John of Malta in the Eighteenth Century*, (Philadelphia: Dufour Editions, 1963), p. 256. Cf. also Hugh Ragsdale's "The Mental Condition of Paul" in *Paul I, A Reassessment of His Life and Reign, ut sup*., note 3.

36. Cavaliero, p. 256.

37. James van der Velt, O.F.M.; monograph, “Ecclesiastical Orders of Knighthood,” (Washington DC: Catholic University Press, 1956), p.21. Cf. also Moeller, p. 480.

38. Cavaliero, pp. 263-264.

39. *Ibid.,* p. 264.

40. Van der Velt, p. 21.

41. The text cited is taken from a typewritten translation of the entire document. The translation, I believe, was made by Hugo Maria Kellner during the height of the “Knights and Daze” controversy in the late sixties and early seventies. Laying hands on the Latin original of this rather obscure document of Leo XIII posed a problem, in that his reign seemed to be too late for inclusion in the only available edition of the *Bullarium* and too early for the *Acta Apostolicae Sedis.*

42. Van der Velt, p. 21.

43. Cf. Edgar Erskine Hume, *Medical Work of the Knights Hospitallers of Saint John of Jerusalem,* (Baltimore: Johns Hopkins Press, 1940).

44. Moeller, p. 480.

45. For the full text, cf. “Tribunale Cardinalizio Costituito con Pontificio Chirografo del 10 Dicembre 1951,” from the *Acta Tribunalium* in *Acta Apostolicae Sedis,* vol. xxxxv, 1953, pp. 765-767. In point three the fact that the Order depends on the Holy See is reconfirmed: “L’Ordine Gerosolimitano di Malta dipende dalla Santa Sede… e in particolare, come Ordine religioso, dalla Sacra Congregazione dei Religiosi, a norma del diritto canonico.” Also paraphrased in van der Velt, pp. 22-23.

46. Van der Velt, pp. 21-22.

47. Ibid., p. 22.

48. “A Modern Crusade,” booklet, (Rome: after 1962), p. 32. For the complete text of the John XXIII charter see: *The Constitutional Charter of the Sovereign Military Hospitaller Order of Saint John of Jerusalem, Rhodes and Malta,* (Rome: 1961). A new Code was also issued in Rome in 1966.

49. Fra Olgerd de Sherbowitz-Wetzor and Fra Cyril Toumanoff, *The Order of Malta and the Russian Empire*, (Rome: 1969), pp. 37-38. In their fn. 104 the authors refer to the original Russian documents to justify this assertion. Evidently, the pur-pose of this book is to refute the “Russian

Legend" from an historical point of view. The authors succeed admirably with countless citations of primary sources. If there is one book every member of the OSJ should read, it is this one.

50. *Ibid.,* pp. 36-37. Cf. the authors' fn. 103 for further documentation.

51. Quoted *ibid.,* pp. 38-39. Cf. their fn. 107 which refers to the Russian text.

52. Quoted *ibid.,* p. 16. Cf. also p.15, fn. 23 for references to the Russian text.

53. Cavaliero, p. 242.

54. *Ibid.,* p. 260.

55. Alexander I, "Manifesto of 28 March, 1801," in *Ukazy Gosudaria Imperatora Aleksandra I. i Pravitel'stvuiushchego Senata*, (Moscow: 1801): "…jusqu'a ce que les circonstances aient permis de Lui donner un Grand-Maitre selon ses Statuts et ses formes antiques."

56. Quoted in Vella, p. 46: "…album mittere ad Beatissimum Patrem precibus adjectis, ut Summus Pontifex utpote qui Romanae Ecclesiae caput est omniurn Or-dinum Religiosorum superior ex numero illo candidatorum, quos Prioratus exhibuerunt, unum praeeligat, cui Summum Magisterium conferatur."

57. *Livre Blanc de l'Ordre Souverain Militaire et Hospitalier de St. Jean de Jerusalem, Dit de Rhodes, Dit de Malte,* (Rome: 1962), p. 55: "…ut ad veterem Constitutionem et disciplinam, publico commodo et utilitate cui semper inservaverit, ordo penitus restituatur." This work (also called "The White Book") presents a short (eight-page) argument against groups like the OSJ. Its worth has been superseded by de Sherbowitz-Wetzor and Toumanoff's work. It does, however, reproduce the full texts of some important documents in the Appendices. Unfortunately, they are not in English.

58. De Sherbowitz-Wetzor and Toumanoff, p. 61. The text is given ff.

59. Quoted *ibid.,* pp. 62-63 and fn.: "…n'a plus de Chef legitime, un des premiers soins des membres qui le composent doit etre de se concerter d'apres les Statuts, les formes et les usages etablis pour proceder 1egalment a l'election d'un Grand-Maitre." Cf. their fn. 148.

60. Quoted *ibid.,* pp. 73-75 and fn.: "…ce Conseil arrete de resigner ses fonctions et de remettre de [sic] Gouvernement de l'Ordre entre les mains du

Grand-Maitre. Le Sacre Conseil approuve l'acte redige a cet effet." Cf. their fn. 175 for the references.

61. Quoted *ibid*., pp. 78-79 and fn.: "…Concilium secundum ea, quae sibi ab initio proposuit, abdicat, et sui temporarii muneris expleta functione, acceptam auctoritatem ad Magnum Magistrum remittit."

62. The full texts of Alexander's letters to Tomassi are given in *Livre Blanc*, pp. 72-73.

63. *Ibid.*, p. 75: "…le Prieure Russe de l'Ordre n'existant plus…"

64. De Sherbowitz-Wetzor and Toumanoff, p. 127; "A Modern Crusade," p. 29; Ferdinand de Hellwald, *Bibliographie Methodique de l'Ordre Sour. de St. Jean de Jerusalem*, (Rome; Imprimerie Polyglotte de la Propagande, 1885 with supplement added in 1924), p. 107fn; etc.

65. De Sherbowitz-Wetzor and Toumanoff, p. 103 (cf. also fn.), and "Modern Crusade," p. 29.

66. Quoted in "Modern Crusade," p. 29fn.: "Nous instituitons [sic] de Notre Autorite Imperiale, par ces presents, une nouvelle Fondation de l'Ordre de St. Jean de Jerusalem."

67. De Sherbowitz-Wetzor and Toumanoff, pp. 120-121. Cf. also the full French text of Nicholas' handwritten letter given *ibid.*

68. *Ibid.*, p. 123fn.

69. *OSJ Messenger*, (Reading PA; 1981), vol. 36, no. 1, p. 10.

70. *Ibid.*, p. 2.

71. Cf. the Bull "Inter Illustria Religionis" of Pope Benedict XIV (March 12, 1753), in *Sanctissimi Domini Nostri Benedicti Papae XIV Bullarium*, (Rome: Typis S.C. de Propaganda Fide, 1753), tom. iii, pp. 85-86.

72. Harrison Smith, *Order of Saint John of Jerusalem*, ed. and rev. by Joseph E. Storace (after 1970), p. 64. The "Order of Malta" Mr. Smith seems to have been connected with is apparently associated with the Royal House of Yugoslavia.

73. *Ibid.*

74. *Ibid.*

75. *OSJ Messenger,* vol. 36, p. 2.

76. *Ibid.*

77. Quoted in de Sherbowitz-Wetzor and Toumanoff, p. 123fn. The authors give the appropriate references,

78. "Heraldry Charges Held in Abeyance," *New York Times,* October 25, 1929. The article states that "Pichel would not say whether he had ever been convicted of a crime." It seems that Mr. Pichel was operating out of an office in the Waldorf-Astoria Hotel. (While the Waldorf seems to be a preferred meeting place for those associated with the OS J, the *Times* article does not contain any references to the organization.)

79. The author has in his possession a photocopy of a document which bears the signatures of Mr. Pichel and the Pastor, together with what appears to be a parish seal. Mr. Pichel pledged "to engage myself in the service of the poor, and the defense of the Catholic Church," and to "comply with the commands of the Grand-Master of our Order and that I shall pass my life without the possession of any private property." The Grand Duke Alexander (71st Grand Master) had died on February 26, 1933, and a 1967 publication lists Prince Crolian Edelen de Burgh as 72nd Grand Master. Hence, we can presume that he was Grand Master at the time Mr. Pichel pronounced his vows. (The 1967 publication notes approvingly that Prince Crolian possesses "four lines of descent from Rurik the Viking.")

80. The document is one of the exhibits in *Sovereign Order of Saint John of Jerusalem vs. Pichel,* (Civil No. CV80-0501), United States District Court, Middle District, Pennsylvania. Vid. infra in text.

81. "Imperial Sanction for the Sovereign Order of Saint John of Jerusalem, etc.," pamphlet, (Shickshinny PA; Maltese Cross Press, 1978-1979), p. 3. N.b., this publication dates from after the legal dispute mentioned infra in text.

82. Ibid.

83. The full text is quoted in *Livre Blanc,* p. 76. The original expresses indignation in only the way the French language can: "…ne sont aucunement affilies avec l'Organisation aux Etats-Unis d'Amerique qui est habilement camoulflee et qui s'intitule: 'Sovereign Order of Saint John of Jerusalem, Knights of Malta, Shickshinny 2, Pa. — U.S.A.,' laquelle faussement pretend avoir herite les droits de la Grand-Maitrise de l'Empereur Paul I. de Russie …. deplorent l'existence de cette fausse organisation aux Etats-Unis d'Amerique et esperent que cette imposture ne tardera pas a etre mise a jour."

84. Harry Luke, "An Examination of Certain Claims to be an Order of Saint John," pamphlet, (1965), p. 8. Mr. Luke seems to be connected with yet another "Order of Malta" and rejects some of the claims of the OSJ.

85. Ibid. Mr. Pichel, in his *History of the Sovereign Order of Saint John of Jerusalem,* (Shickshinny PA: Maltese Cross Publishers, 1970 edition), pp. 169-170, gives a rather different account: "The UN presented the Order's delegate with credentials as an observer to witness UN deliberations, but without a vote. This was the first Knight Order [sic] to be thus accepted by the UNO. Insisting that the Order had been a government since ancient times and dissatisfied with such a UN restriction, the Order of Saint John withdrew from this category of UN groups in July, 1961, pending acceptance in a category of governments."

86. Picbel, p. 171.

87. For a brief treatment, cf.: Rev. Anthony Cekada, "A Warning on the Old Catholics: False Bishops, False Churches," in the *Roman Catholic,* October 1981. Reprint available from *The Roman Catholic,* PO Box 217, Oyster Bay NY, 11771.

88. Peter F. Anson, *Bishops at Large,* (London: Faber and Faber, 1964), p. 434 and fn. Anson's book is the most comprehensive treatment of the "Old Catholics" available.

89. *Ibid.,* p. 437.

90. "An Account of the Old Roman Catholic Church," pamphlet, (Shickshinny PA: Crux News Service, 1964), p. 6.

91. Ibid.

92. Athenian Order, pamphlet, "Historical Continuity and Validity of the Sovereign Order of Saint John of Jerusalem, Knights of Malta," (Shickshinny PA: Crux News Service, 1964), unpaginated.

93. Anson, p. 387.

94. *Ibid.,* p. 383.

95. "Knights to the Rescue of Christendom," pamphlet, (Shickshinny PA: Maltese Cross Press, 1969), p. 7.

96. *lbid.,* p. 7.

97. Father Lawrence S. Brey of St. Cloud MN wrote two pamphlets around 1973 entitled "Operation Knightmare". Dr. Julio Pro of 9811 Rathburn Avenue, Northridge CA published a pamphlet around the same time with the truly memorable title "Knights and Daze." Dr. Pro claimed that there was a Masonic overtone to the OS J, prompting Father Watben to write the pamphlet cited in fn. 1. Mr. J. Bruce Howell of Rt. 1, Stillman Valley IL (a former member of the OS J) diffused a great number of documents challenging the claims of the OSJ. Dr. Hugo Maria Kellner of 9 Iroquois Road, Caledonia NY produced a great number of letters on the OSJ. He conducted an investigation of some of the academic credentials Mr. Pichel claimed to possess. It seems that the controvery died down around the mid-1970's.

98. *OSJ Messenger,* (Reading PA: 1980), vol. 35, p. 3.

99. *Sovereign Order vs. Pichel,* Plaintiff's Exhibit 3.

100. *Ibid.,* Plaintiff's Exhibit 1.

101. *Ibid.,* Plaintiff's Exhibit 6.

102. *Ibid.,* Exhibit E.

103. Cf. *ibid.,* Plaintiff's Exhibit 10.

104. "Ecclesiastical Tribunal of Christendom," pamphlet, (Shickshinny PA: Maltese Cross Press, 1979). Mr. Messineo recently dismissed the pamphlet as "fictional literature."

105. *Sovereign Order vs. Pichel,* Exhibit K.

106. *OSJ Messenger,* vol. 34, p. 1.

107. *Ibid.,* vol. 36, no. 1, pp. 12-13.

108. *Ibid.,* p. 14. On October 31-November 1, 1981, the Russian Orthodox Church Outside of Russia canonized Czar Nicholas II, his wife, and his five children. Since the ceremony was held in New York (where Mr. Romanoff apparently resides) this would have offered him the unique distinction of being able to assist at his own canonization.

109. *Ibid.,* p. 13.

110. *Ibid.,* p. 10.

111. *Ibid.,* p. 14.

112. *Ibid.*, p. 21.

113. "Clarification," *L 'Osservatore Romano*, English edition, December 9, 1976, p. 12.

114. *OSJ Messenger,* vol. 36, no. 1, p. 73.

115. Pope Anastasius IV, "Christianae Fidei Religio," (October 21, 1154), in *Bullarum Privilegiorum ac Diplomaturn Romanorum Pontiffcum Amplissima Collectio,* (Rome: Typis S. Michaelis ad Ripam, 1739), tom. i, p. 347: "…salva Sedis Apostolicae auctoritate & Diecesani [sic] Episcopi canonica justitia."

116. Cf. fn. 71 *supra.* Pp. 74-87.

117. Quoted in de Pierredon, vol. ii, p. 38t: "Je ne peux dissimuler a V. Exc. Rme. que l'esprit de S. Ste. a ete tres trouble par l'annonce de ces evenements, voyant foulee aux pieds, en un instant, tant les constitutions apostoliques qui reservent au St. Siege exclusivement le droit de juger de la personne du G.M., que les constitutions de l'Ordre qui fixent les regles precises et invariables pour l'election de celui-ci et auxquelles le pape seul peut deroger."

118. Quoted *ibid.,* vol. ii, p. 386: "…Sa Saintete se trouve dans l'obligation precise de faire rappeler ala memoire des membres qui le composent combien ils sont devie des constitutions de l'Ordre et de la soumission aux decrets du S. Siege a laquelles ils sont tenus par le devoir de leur institution, tant pour deposer de sa dignite le Grand-Maitre Hompesch, que pour proclamer Grand-Maitre S.M. Imperiale."

119. *Ibid.,* vol. ii, p. 387.

120. Charles Augustine, O.S.B, D.D., *A Commentary on the Code of Canon Law,* (St. Louis MO, B. Herder, 1919), 2nd edition, vol. iii, p. 96.

121. Mgr. Pietro Palazzini, editor, *Dictionary of Moral Theology*, (Westminster MD: Newman Press, 1962), p. 861.

122. *Ibid.,* p. 1032.

123. The summary is based on Vella, pp. 35-36.

124. *OSJ Messenger,* vol. 36, no. 1, p. 6.

125. *Ibid*., p. 23. In fact, Czar Paul, a Russian Orthodox schismatic, founded the "non-Catholic section." It will be noted that the OSJ does not

seem to follow the "papal advice" contained in the Pro-Memoria of March 16, 1799.

126. *Ibid.* In his text ff., the anonymous author appears to quote a document in which it is claimed that the "moral act of restoring papal care to Ultrajectine [also called "OM"] Roman Catholics is *ipso facto* accomplished." He states that this document was "promulgated under the authority of the Apostolic See on Nov. 7, 1966 by the Archbishop of Utrecht." I was unable to find this document in the *Acta Apostolicae Sedis* (the official digest of Vatican documents), since, of course, the author provided no references. The author also appears to claim that the OSJ had some sort of role in this alleged reunification. How, of course, we are not told, nor do we ever learn in what this "moral act of restoring papal care" consists.

127. *OSJ Messenger,* vol. 35, p. 2.

128. *Ibid.* Two clergymen are in the background, one vested as a priest and the other as a deacon. One wonders if they are among the priests who offer the traditional Mass for the OSJ in various cities throughout the U.S.

129. Pope Pius XI, Encyclical "Mortalium Animos," (January 6, 1928), in *The Official Catholic Year-Book,* (New York: P.J. Kenedy and Sons, 1928), trans, by Rt. Rev. Msgr. James H. Ryan, pp. 74-75.

130. Reply of the Holy Office, November 8, 1865.

131. "Mortalium Animos," pp. 76-77.

132. Pope Saint Pius X, Encyclical "Singulari Quadam," (September 24, 1912).

(The Roman Catholic, December 1981)